IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UN	IITED STATES OF AMERICA) 0.400B054
	Plaintiff,) 8:10CR251)
	vs.)) DETENTION ORDER
os	SCAR GONZALEZ-MILANEZ,	<u> </u>
	Defendant.	;
A.	After waiving a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act on July 27, 2010, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).	
B.	 Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community. 	
C.	(Count I) in violation of 2 sentence of ten years imprisonment; illegal re-e 8 U.S.C. § 1326 carrie imprisonment (b) The offense is a crime of (c) The offense involves a national content.	nd includes the following: e offense charged: ith intent to distribute methamphetamine e1 U.S.C. § 841(a)(1) carries a minimum imprisonment and a maximum of life ntry into the U.S. (Count III) in violation of es a maximum sentence of two years violence.
	may affect wheth X The defendant hat X The defendant hat X The defendant hat X The defendant is X The defendant of ties. X Past conduct of the defendant hat Court proceeding	ppears to have a mental condition which her the defendant will appear. as no family ties in the area. as no steady employment. as no substantial financial resources. not a long time resident of the community. does not have any significant community the defendant: use of alias names. as a history relating to drug abuse. as a history relating to alcohol abuse. as a significant prior criminal record. has a prior record of failure to appear at

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Pa Re sel (c) Other Facto _X Th de Th de _X Th (BI	obation role lease pending trial, sentence, appeal or completion of ntence. ors: e defendant is an illegal alien and is subject to cortation. e defendant is a legal alien and will be subject to cortation if convicted. e Bureau of Immigration and Custom Enforcement CE) has placed a detainer with the U.S. Marshal.	
X (4) The nature and seriousness of the danger posed by the defendant's release are as follows: The nature of the charges in the Indictment.		
on the following relative which the Court firm which the Court firm X (a) That no consider assure the confirmation of any other the crime in the crime in X (2) X (3) (4)	the defendant should be detained, the Court also relied buttable presumption(s) contained in 18 U.S.C. § 3142(e) ands the defendant has not rebutted: ondition or combination of conditions will reasonably appearance of the defendant as required and the safety person and the community because the Court finds that avolves: A crime of violence; or An offense for which the maximum penalty is life imprisonment or death; or A controlled substance violation which has a maximum penalty of 10 years or more; or A felony after the defendant had been convicted of two or more prior offenses described in (1) through (3) above, and the defendant has a prior conviction for one of the crimes mentioned in (1) through (3) above which is less than five years old and which was committed while the defendant was on pretrial release.	
assure the of the com cause to be	That the defendant has committed a controlled substance violation which has a maximum penalty of 10 years or more.	

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and

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- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: July 27, 2010.

BY THE COURT:

s/ Thomas D. Thalken United States Magistrate Judge